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In re Application of
HONJO, Tasuku et al.
US Application No.: 09/674,379
PCT Application No.: PCT/JP99/02284
Int. Filing Date: 28 April 1999
Priority Date: 28 April 1998
Attorney's File Reference: Q61531
For: NOVEL POLYPEPTIDE, cDNA
ENCODING THE SAME AND
UTILIZATION THEREOF

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: DECISION ON
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: PETITION UNDER
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: 37 CFR 1.497(d)
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This decision responds to applicants' "RENEWED REQUEST TO ACCEPT DECLARATION UNDER 37 C.F.R. 1.497(d)", filed 02 July 2002, requesting the addition of 9 inventors.

11/14/2002 LLANDGRA 00000070 194880 09674379

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BACKGROUND

On 02 April 2002, the US Designated/Elected Office mailed a "DECISION ON REQUEST UNDER 37 CFR 1.497(d)" dismissing applicants' request to add nine additional inventors because the applicants had failed to provide a written consent of the assignees, Ono Pharmaceutical Co., Ltd. and Genetics Institute, Inc., as required by 37 CFR 1.497(d)(3). The decision set a two month time period for reply but indicated that extensions of time could be obtained under 37 CFR 1.136(a).

On 02 July 2002, the applicants filed the present "Renewed Request to Accept Declaration Under 37 CFR 1.497(d)", which was accompanied by, inter alia, a "Consent of Assignees to Correction of Inventorship" offering the consent of the assignees to the addition of nine additional co-inventors, a request for a one-month extension of time, and an authorization to charge all required fees to applicants' deposit account.

DISCUSSION


The "Consent of Assignees to Correction of Inventorship", filed 02 July 2002, satisfies the requirement of 37 CFR 1.497(d)(3).

CONCLUSION

For the above reasons, applicants' petition under 37 CFR 1.497(d) is **GRANTED**. Accordingly, the declarations filed 25 January 2002 are acceptable under 37 CFR 1.497.

The \$110 fee under 37 CFR 1.17(a)(1) for a one-month extension of time will be charged to applicants' deposit account number 19-4880.

This application is being forwarded to the US Designated/Elected Office branch of the Office of PCT Operations for further processing in accordance with this decision, that is, for charging the \$110 extension fee under 37 CFR 1.17(a)(1) to applicants' deposit account number 19-4880 and for issuance of a Notification of Acceptance (Form PCT/DO/EO/903) indicating a date under 35 USC 371 of 25 January 2002.


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